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Pro Bono Attorneys for Plaintiff
Earl Dean Christian, Jr.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EARL DEAN CHRISTIAN, JR.

Plaintiff,

v.

H. MACIAS, et al.,

Defendants.

Case No. 2:21-cv-0305 KJN P

The Honorable Kendall J. Newman

**STIPULATION AND ~~PROPOSED~~ ORDER
TO CONTINUE DEADLINE TO OPPOSE
MOTION FOR SUMMARY JUDGMENT**

WHEREAS:

1. On December 16, 2022, Defendants moved for summary judgment on their PLRA exhaustion defense (ECF No. 51);

2. Pursuant to the Court's Order approving the parties' stipulated briefing schedule (ECF No. 48), Mr. Christian's opposition is currently due on or before January 17, 2023, which is the first business day following the expiration of the 30-day period after Defendants moved for summary judgment;

3. Due to scheduling conflicts around the holidays, as well as the difficulty involved in communicating with their client via telephone and mail, Plaintiff's counsel requires additional time to finalize a declaration from Plaintiff in opposition to Defendants' motion for summary judgment and to prepare the opposition papers;

4. Plaintiff has requested, and Defendants have agreed to provide, a 30-day extension of Defendants' deadline from January 17, 2023 to and including February 16, 2023;

5. This is Plaintiff's first request for an extension of time to oppose Defendants' motion for summary judgment, and the requested extension will not affect any other deadlines set by Court order;

NOW, THEREFORE, IT IS STIPULATED AND AGREED, subject to Court approval, that Plaintiff's deadline to oppose Defendants' summary judgment motion be continued by 30 days from January 17, 2023 to and including February 16, 2023.

IT IS SO STIPULATED AND AGREED:

DATED: January 11, 2023

JENNER & BLOCK LLP

By: /s/ Alexander M. Smith
Alexander M. Smith

Attorneys for Plaintiff
Earl Dean Christian, Jr.

1 DATED: January 11, 2023

CALIFORNIA DEPARTMENT OF JUSTICE

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3 By: /s/ Corinna S. Arbiter (with permission)
Corinna S. Arbiter

4 Attorneys for Defendants
5 H. Macias, J. Feltner, B. Hernandez, and J.
6 Hickman

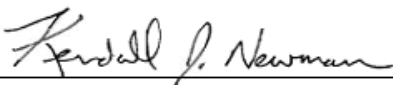
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8 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:

9 1. The January 11, 2023 stipulation is approved;

10 2. Plaintiff's request for an extension of time to oppose the motion for summary judgment is
11 granted; and
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13 3. Plaintiff shall file an opposition on or before February 16, 2023.
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15 Dated: January 12, 2023

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17 KENDALL J. NEWMAN
18 UNITED STATES MAGISTRATE JUDGE

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